(3) CPI 100

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 2637 OF 2003

BETWEEN

C.B.Patle S/o Late Shri Sita Ram Patle, aged about 52 Years, Working as Chief Executive Officer, Janpad Panchayat Lailunga District Raigarh (CG).

PETITIONER

A N D

1. The State of Chhattisgarh Through its Secretary Department of Tribal Development(SC/ST & Tribal) Mantralay, D.K.S.Building, Raipur (CG).

2. The Collector, Raigarh, District Raigarh (CG).

3. Shri D.R.Pradhan, Veterinary doctor, Block Lailunga District Raigarh (CG).

P. R. No. 2356/03 Presented by Shri S.K. Thakur dated 14.06.03

CERTIFIED COPY. 14/8/03 CLERK TO A.G. BILASPUR

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(27)

आदेश पत्रक

मामला क्रमांक WP 2637 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	01.11.2003 Shri Prafulla Bharat, counsel for the petitioner. Shri Ranbir Singh, Govt. Advocate for respondent no.1 & 2. Shri A.Tripathi, counsel for respondent no.3. The petitioner has preferred this writ petition under Articles 226 & 227 of Constitution of India challenging the order dated 05.08.2003 by which he has been transferred from Janpad Panchayat Lailunga Distt. Raigarh to the office of Assistant Commissioner, Tribal Development, Raigarh. The petitioner's petition is that he is working as Chief Executive Officer, Janpad Panchayat Lailunga Distt. Raigarh. In the year 1999 the petitioner was transferred from Bilaspur to Balrampur Distt. Sarguja and thereafter, on 11.10.2001 he was again transferred to Ramanujgunj but he could not join his duty because the incumbent who was occupying the post on which the petitioner was transferred has ~~taken the~~ obtained stay order in his favour from the State Administrative Tribunal, therefore, the petitioner has ~~been~~ forced to join in the office of Assistant Commissioner, Tribal Development Ambikapur. On 02.07.2002 the petitioner ~~has been~~	

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आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

again transferred to Janpad Panchayat Lailunga and from there vide impugned order the petitioner has been again transferred to the office of Assistant Commissioner, Tribal Development Raigarh.

The petitioner challenge is that presently he is working as Chief Executive Officer, Janpad Panchayat, Lailunga whereas he has been transferred in the office of Assistant Commissioner, Tribal Development where there is no such post, therefore, he could not have been transferred.

Learned counsel for respondent no.3 submits that the respondent no.3 has already joined on the said post.

Having heard the learned counsel for the parties, having regard to the facts and circumstances of the case and having regard to the challenge of the petitioner that the office in which he has been transferred there is no post of Chief Executive Officer as such his transfer is bad, the petitioner is allowed to make a representation raising all his grievances within ten days to respondent no.1 and in turn respondent no.1 shall decide the same within a period of thirty days from the date of receipt of representation in an objective manner considering all the grievances

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	of the petitioner with a reasoned order. Till then the petitioner should not be relieved, if he has already not been relieved. With this observation and direction, the petition stands disposed of. Consequently, M.W.P. No.2406/2003 & I.A. No.7977/2003 are stands disposed of. Certified copy as per Rules. **Sd/-** **L.C.BHADOO** **Judge**	

[पीछे देखिये